

# State of Utah

## DEPARTMENT OF NATURAL RESOURCES

MICHAEL R. STYLER  
Executive Director

### Division of Oil, Gas and Mining

JOHN R. BAZA  
Division Director

## Inspection Report

|                  |                             |
|------------------|-----------------------------|
| Permit Number:   | C0070012                    |
| Inspection Type: | COMPLETE                    |
| Inspection Date: | Tuesday, May 10, 2011       |
| Start Date/Time: | 5/10/2011 10:00:00 AM       |
| End Date/Time:   | 5/10/2011 4:00:00 PM        |
| Last Inspection: | Thursday, February 10, 2011 |

Inspector: Steve Demczak

Weather: Temp 50's, Cloudy

InspectionID Report Number: 2735

Accepted by: jhelfric  
5/12/2011

Permittee: **NEVADA ELECTRIC INVESTMENT CO**  
Operator: **NEVADA ELECTRIC INVESTMENT CO**  
Site: **WELLINGTON PREPARATION PLANT**  
Address: **PO BOX 337, SPRINGVILLE UT 84663**  
County: **CARBON**  
Permit Type: **PERMANENT COAL PROGRAM**  
Permit Status: **ACTIVE**

#### Current Acreages

|          |                        |
|----------|------------------------|
| 1,573.50 | <b>Total Permitted</b> |
| 392.00   | <b>Total Disturbed</b> |
|          | <b>Phase I</b>         |
|          | <b>Phase II</b>        |
|          | <b>Phase III</b>       |

#### Mineral Ownership

- ☐ Federal  
☐ State  
☐ County  
☒ Fee  
☐ Other

#### Types of Operations

- ☐ Underground  
☐ Surface  
☒ Loadout  
☒ Processing  
☐ Reprocessing

Report summary and status for pending enforcement actions, permit conditions, Division Orders, and amendments:

No violations were issued.

Permittee has received approval to conduct slurry pond inspections on a monthly basis instead of weekly from MSHA.

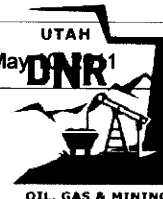
Inspector's Signature:

Steve Demczak,

Inspector ID Number: 39

Date

Tuesday, May 10, 2011



Note: This inspection report was prepared by the Division of Oil, Gas and Mining, Department of Natural Resources, State of Utah. It is not to be used for any other purpose without the written approval of the Division of Oil, Gas and Mining. Telephone (801) 538-5340 • facsimile (801) 359-3940 • TTY (801) 538-7458 • www.ogm.utah.gov

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## Inspection Continuation Sheet

Page 2 of 4

### REVIEW OF PERMIT, PERFORMANCE STANDARDS PERMIT CONDITION REQUIREMENTS

1. Substantiate the elements on this inspection by checking the appropriate performance standard.
  - a. For COMPLETE inspections provide narrative justification for any elements not fully inspected unless element is not appropriate to the site, in which case check Not Applicable.
  - b. For PARTIAL inspections check only the elements evaluated.
2. Document any noncompliance situation by reference the NOV issued at the appropriate performance standard listed below.
3. Reference any narratives written in conjunction with this inspection at the appropriate performance standard listed below.
4. Provide a brief status report for all pending enforcement actions, permit conditions, Divison Orders, and amendments.

|  | Evaluated                           | Not Applicable                      | Comment                             | Enforcement              |
|--|-------------------------------------|-------------------------------------|-------------------------------------|--------------------------|
| 1. Permits, Change, Transfer, Renewal, Sale                      | <input checked="" type="checkbox"/> | <input type="checkbox"/>            | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| 2. Signs and Markers   | <input checked="" type="checkbox"/> | <input type="checkbox"/>            | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| 3. Topsoil   | <input checked="" type="checkbox"/> | <input type="checkbox"/>            | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| 4.a Hydrologic Balance: Diversions                               | <input checked="" type="checkbox"/> | <input type="checkbox"/>            | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| 4.b Hydrologic Balance: Sediment Ponds and Impoundments          | <input checked="" type="checkbox"/> | <input type="checkbox"/>            | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| 4.c Hydrologic Balance: Other Sediment Control Measures          | <input checked="" type="checkbox"/> | <input type="checkbox"/>            | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| 4.d Hydrologic Balance: Water Monitoring                         | <input checked="" type="checkbox"/> | <input type="checkbox"/>            | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| 4.e Hydrologic Balance: Effluent Limitations                     | <input checked="" type="checkbox"/> | <input type="checkbox"/>            | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| 5. Explosives  | <input type="checkbox"/>            | <input checked="" type="checkbox"/> | <input type="checkbox"/>            | <input type="checkbox"/> |
| 6. Disposal of Excess Spoil, Fills, Benches                      | <input type="checkbox"/>            | <input checked="" type="checkbox"/> | <input type="checkbox"/>            | <input type="checkbox"/> |
| 7. Coal Mine Waste, Refuse Piles, Impoundments                   | <input checked="" type="checkbox"/> | <input type="checkbox"/>            | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| 8. Noncoal Waste   | <input checked="" type="checkbox"/> | <input type="checkbox"/>            | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| 9. Protection of Fish, Wildlife and Related Environmental Issues | <input checked="" type="checkbox"/> | <input type="checkbox"/>            | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| 10. Slides and Other Damage                                      | <input checked="" type="checkbox"/> | <input type="checkbox"/>            | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| 11. Contemporaneous Reclamation                                  | <input type="checkbox"/>            | <input checked="" type="checkbox"/> | <input type="checkbox"/>            | <input type="checkbox"/> |
| 12. Backfilling And Grading                                      | <input checked="" type="checkbox"/> | <input type="checkbox"/>            | <input type="checkbox"/>            | <input type="checkbox"/> |
| 13. Revegetation   | <input checked="" type="checkbox"/> | <input type="checkbox"/>            | <input type="checkbox"/>            | <input type="checkbox"/> |
| 14. Subsidence Control   | <input type="checkbox"/>            | <input checked="" type="checkbox"/> | <input type="checkbox"/>            | <input type="checkbox"/> |
| 15. Cessation of Operations                                      | <input checked="" type="checkbox"/> | <input type="checkbox"/>            | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| 16.a Roads: Construction, Maintenance, Surfacing                 | <input checked="" type="checkbox"/> | <input type="checkbox"/>            | <input type="checkbox"/>            | <input type="checkbox"/> |
| 16.b Roads: Drainage Controls                                    | <input checked="" type="checkbox"/> | <input type="checkbox"/>            | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| 17. Other Transportation Facilities                              | <input checked="" type="checkbox"/> | <input type="checkbox"/>            | <input type="checkbox"/>            | <input type="checkbox"/> |
| 18. Support Facilities, Utility Installations                    | <input checked="" type="checkbox"/> | <input type="checkbox"/>            | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| 19. AVS Check  | <input checked="" type="checkbox"/> | <input type="checkbox"/>            | <input type="checkbox"/>            | <input type="checkbox"/> |
| 20. Air Quality Permit   | <input checked="" type="checkbox"/> | <input type="checkbox"/>            | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| 21. Bonding and Insurance  | <input checked="" type="checkbox"/> | <input type="checkbox"/>            | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| 22. Other  | <input type="checkbox"/>            | <input type="checkbox"/>            | <input type="checkbox"/>            | <input type="checkbox"/> |

**1. Permits, Change, Transfer, Renewal, Sale**

The Mining and Reclamation Permit will expire on December 9, 2014. The permittee has received a new UPDES Permit #UTG040010. This permit will expire on April 30, 2013.

**2. Signs and Markers**

Identification signs are posted at the gates to the property. Information meets the requirements of the R645 Coal Rules.

**3. Topsoil**

The topsoil pile shows no signs of wind or water erosion.

**4.a Hydrologic Balance: Diversions**

Some of the diversions and culverts will need to be cleaned out in the near future. Sediment has started to build-up in several culvert and ditches due to rain storms. These diversions and culverts are functioning as designed.

**4.b Hydrologic Balance: Sediment Ponds and Impoundments**

Sediment ponds were inspected by the permittee for the first quarter of 2011 on February 9, 2011. There was no hazardous conditions reported in the report. I inspected the sediment ponds and did not see any hazardous conditions. No sediment pond was discharging during the inspection.

**4.c Hydrologic Balance: Other Sediment Control Measures**

The permittee received approval to pock a portion of a road next to the Siaperas ditch. The construction of the pocking has taken place as designed. This was to remove silt fences and designed to stop sediment from entering the Siaperas ditch.

**4.d Hydrologic Balance: Water Monitoring**

Water sample information was submitted to the Division.

**4.e Hydrologic Balance: Effluent Limitations**

There was no water discharge for sediment ponds for the first quarter of 2011.

**7. Coal Mine Waste, Refuse Piles, Impoundments**

The refuse piles were inspected by a P.E. on March 29, 2011 by Dan Guy. There was no hazardous conditions reported. No hazardous conditions were noticed during the inspection.

**8. Noncoal Waste**

The site was clear of non-coal waste materials.

**9. Protection of Fish, Wildlife and Related Environmental Issues**

An antelope was running across the slurry ponds.

**10. Slides and Other Damage**

No slides or other damage was noticed during the inspection.

**15. Cessation of Operations**

No activity is occurring at Wellington.

**16.b Roads: Drainage Controls**

Culverts and diversions are starting to have sediment build-up. Cleaning will be needed in the near future.

**18. Support Facilities, Utility Installations**

There are no support facilities at Wellington.

**20. Air Quality Permit**

The Air Quality permit is DAQE-92.

**21. Bonding and Insurance**

The insurance policy will expire on Feb 9, 2012. The policy is afforded by Colony Ins. Co.. The insurance accord form was reviewed and meets Division requirements. The bonding amount is \$5,153,000.